



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

TM02/1105

DAVID L MCCOMBS
HAYNES AND BOONE LLP
3100 NATIONSBANK PLAZA
901 MAIN STREET
DALLAS TX 75202-3789

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/217,266	12/21/98	026	PHAN, T	2661 11/05/00
First Named Applicant	DARAISEH,	35 USC 154(b) term ext. = 0 Days.		

TITLE OF INVENTION

MULTILEVEL DISTRIBUTED FRAME SELECTION AND POWER CONTROL CDMA ARCHITECTURE METHOD AND APPARATUS FOR TELECOMMUNICATION NETWORKS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2	22171.94 (RR-	370-328.000	037 UTILITY	NO	\$1280.00	02/05/01

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

Notice of Allowability

Application No.

09/217,266

Examiner

Tri H. Phan

Applicant(s)

DARAISEH ET AL.

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment on 4 October 2001.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No. 6.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |


HUY D. VU
PRIMARY EXAMINER

Response to Amendments

1. Applicant's amendments filed on 04 October 2001 have been fully considered. The examiner withdraws the rejections to claims 1-26 filed on 10 July 2001. Claims 1-26 are now allowed in accordance to the claim amending and corrections.

Reason for Allowance

2. **Claims 1-26 are allowed.** The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or make obvious the method and system for the mobile telecommunication network, distribution frame selection and power control in CDMA architecture in detail techniques and specific combinations as the claimed invention as for:

Substantially regarding to claims 1 and 17, the prior art of record fails to show or make obvious the system and method for the mobile telephone communications having multi-level distributed architecture, the system comprises: a plurality of base station transceiver subsystems (BTSs) arranged across the plurality of cells, each base station transceiver subsystem (BTS) operable for establishing the radio frequency interface with the subscriber unit in conjunction with the telephone call; at least one first level PSEL unit couples to the prescribed plurality of the base station transceiver subsystems for implementing the first level power control and frame selection of compressed packet data in conjunction with the telephone call, each first level PSEL unit being positioned proximate the respective prescribed plurality of base station transceiver subsystems; second level PSEL unit couples to at least one first level PSEL unit for implementing the second level power control and frame selection of compressed packet data in

Art Unit: 2661

conjunction with the telephone call; router couples to the second level PSEL unit which has being coupled between at least one first level PSEL unit and router on a BTS-side of the router, for routing compressed packet data in conjunction with the telephone call from at least one first level PSEL unit through the second level PSEL unit and to at least one first level PSEL unit through the second level PSEL unit; and at least one CSEL unit couples between the router and the prescribed mobile switching center (MSC) on the MSC-side of the router, at least one CSEL unit separate from at least one first level PSEL and the second level PSEL for implementing call processing and call management in conjunction with the telephone call, at least one CSEL unit further being positioned proximate the MSC, the router further for routing compressed packet data between the second level PSEL unit on the BTS-side of the router and at least one CSEL unit on the MSC-side of the router.

The prior art of record also fails to show or make obvious of at least one first level PSEL unit includes a plurality of first level PSELs for implementing the first level power control and frame selection which is coupled to and positioned proximate the respective prescribed plurality of base station transceiver subsystems, further wherein the second level PSEL unit operates in either of two modes, i) the first mode including the pass-through mode wherein frame selection is performed by the first level PSEL and ii) the second mode, wherein the particular movement of the subscriber unit gives rise to the occurrence of the soft handoff between BTSs of different first level PSELs and the second level PSEL operates to handle the soft handoff while placing respective first level PSELs in the pass-through mode.

Regarding to claim 9 and 22, the prior art of record fails to show or make obvious the system and method for the mobile communications having the multi-level distributed

architecture, the system comprises: a plurality of base station transceiver subsystems (BTSs) arranged in cells, each base station transceiver subsystem (BTS) operable for establishing the radio frequency interface with the subscriber unit in conjunction with the telephone call; PSEL means coupled to and being positioned proximate the plurality of base station transceiver subsystems for implementing the power control and frame selection of compressed packet data in conjunction with the telephone call; router coupled to the PSEL means on the BTS-side of the router for routing compressed packet data to and from the PSEL means; and CSEL means coupled between the router and the prescribed mobile switching center (MSC) on the MSC-side of the router and further being positioned proximate the MSC, the CSEL means being separate from the PSEL means, the router further for routing compressed packet data between the PSEL means on the BTS side of the router and the CSEL means on the MSC-side of the router.

The prior art of record also fails to show or make obvious of the PSEL including at least one first level PSEL for implementing the first level power control and frame selection, the at least one first level PSEL is coupled to and positioned proximate the respective prescribed plurality of base station transceiver subsystems, the system further comprises: second level PSEL means for implementing the second level power control and frame selection in conjunction with the telephone call, the second level PSEL coupled to and positioned proximate the at least one first level PSEL, wherein upon the particular movement of the subscriber unit giving rise to the occurrence of the soft handoff between BTSs of different first level PSELs, the second level PSEL is configured to handle the soft handoff and places the respective first level PSELs in the pass-through mode, further wherein the router routes compressed packet data to and from the at least one first level PSEL through the second level PSEL.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan whose telephone number is (703) 305-7444. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Olms can be reached on (703) 305-4703.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 305-3900.

Application/Control Number: 09/217,266
Art Unit: 2661

Page 6

TP

Tri H. Phan
October 30, 2001



HUY D. VU
PRIMARY EXAMINER